**S.B.CRIMINAL MISC. BAIL APPLICATION NO.3419/2006**

Date : 17.08.2006

**HON'BLE MR. SATYA PRAKASH PATHAK, J.**

Mr. M.L. Bishnoi for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

It is a case arising out of NDPS matter. The contention of learned counsel for the applicant is that no recovery whatsoever is made from the applicant, therefore, he should be given benefit of anticipatory bail.

On the other hand, learned Public Prosecutor has opposed the bail application.

Having considered the submissions made before me and taking into consideration the overall facts and circumstances of the present case, I am of the opinion that in such matters benefit of anticipatory bail is not required to be

extended to the applicant. Accordingly, the bail application moved under by the applicant under Section 438 Cr.P.C. is rejected.

**(SATYA PRAKASH PATHAK), J.**

**vijayant**